

FACSIMILE TRANSMITTAL FORM	Application Number	10/666098
	Filing Date	September 18, 2003
	First Named Inventor	Rosenflanz, Anatoly Z. RECEIVED
	Art Unit	1755 CENTRAL FAX CENTER
	Examiner Name	Karl E. Group SEP 30 2005
Fax: 571-273-8300	Attorney Docket Number	58961US002
Total Number of Pages in This Submission: 3		
Date: September 30, 2005	Attorney for Applicant: Gregory D. Allen	

ENCLOSURES (check all that apply)		
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<input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Appeal Communication to Technology Center (Appeal Notice, Brief, Reply Brief)
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<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosures: <i>Response to Restriction Requirement</i>
<input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR § 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts under 35 USC 371 in US Designated/ Elected Office (DO/EO/US)	<input type="checkbox"/> Request for Refund <input type="checkbox"/> Request for Continued Examination (RCE) Transmittal	
<input type="checkbox"/> Drawings	<input type="checkbox"/> After Allowance Communication to Technology Center	
REMARKS:		

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Customer Number

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Patent
Case No.: 58961US002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: ROSENFLANZ, ANATOLY Z.
Application No.: 10/666098 Group Art Unit: 1755
Filed: September 18, 2003 Examiner: Karl E. Group
Title: CERAMICS COMPRISING AL₂O₃, Y₂O₃, ZrO₂ AND/OR HfO₂, AND
Nb₂O₅ AND/OR Ta₂O₅ AND METHODS OF MAKING THE SAME

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]	
I hereby certify that this correspondence is being:	
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<input checked="" type="checkbox"/>	transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at 571-273-8300.
Date <u>September 30, 2005</u>	Signed by: <u>Jessica L. Nolan</u> Jessica L. Nolan

Dear Sir:

This paper is in response to the Restriction Requirement mailed September 1, 2005. Claims 1-73 are pending. Claims 1-73 were restricted under 35 USC § 121 as follows:

- I. Claims 1-26 and 71 are said to be drawn to a glass, classified in Class 501, subclass 41;
- II. Claims 27, 42-65, 72, and 73 are said to be drawn to a glass ceramic, classified in Class 501, subclass 10;
- III. Claims 28 and 30 are said to be drawn to a method of making a glass, classified in Class 65, subclass 378;
- IV. Claims 29 and 66-70 are said to be drawn to a method of making ceramic, classified in Class 65, subclass 33.1;
- V. Claims 31-39 are said to be drawn to a waveguide, classified in Class 385, subclass 123;
- VI. Claims 40 and 41 are said to be drawn to a method of amplifying, classified in Class 359, subclass 341.1.

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Election

In response, Applicants elect Group I with traverse.

Reconsideration and withdrawal or modification of the restriction requirement is respectfully requested.

Further, it is noted that contrary to the implication of the restriction requirement, claims 27, 42-44, and 72 are not limited to glass-ceramics. While "ceramic comprising glass" includes glass-ceramic comprising glass, it also includes ceramics that are not glass-ceramics. Clarification of the restriction of these claims is requested.

Continued prosecution of this application is respectfully requested.

It is believed that no fee is due; however, in the event a fee is required, please charge the fee to Deposit Account No. 13-3723. The Examiner is invited to contact the undersigned at the indicated telephone number with questions that can be resolved with a simple teleconference.

Respectfully submitted,

September 29, 2005
Date

By: 

Gregory D. Allen, Reg. No.: 35,048

Telephone No.: 651-736-0641

Office of Intellectual Property Counsel
3M Innovative Properties Company
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